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## FAX COVER SHEET

September 16, 2005

To: Commissioner of Patents  
Group Art Unit 3679  
Attn: Dunwoody, Aaron M..  
703-872-9306

From: Steven G. Austin  
The Gates Corporation  
303-744-4653 FAX  
303-744-5796 VOICE

Re: Serial Number 10/723,126; Docket Number C02-085A  
HYDRAULIC HOSE FITTING AND METHOD  
Response to Office Action mailed July 26, 2004 and Petition to Revive

Number of Pages including this cover: 13

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Transmission to 703-872-9306 Commissioner of Patents, Washington,  
D.C. 20231 on September 16, 2005 For: The Gates Corporation.

Signature: [Signature] Date signed: September 16, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Donald R. Gilbreath)

) Date: September 16, 2005

) Examiner: Dunwoody, Aaron M..

Serial No.: 10/723,126

) Group Art Unit: 3679

Docket No.: C02-085A

For: HYDRAULIC HOSE FITTING  
AND METHOD

Via Fax: 703-872-9306  
The Honorable Commissioner  
for Patents  
Group Art Unit 3679  
Washington, D.C. 20231

## PETITION

The Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir,

Applicant hereby petitions for revival of this application pursuant to 37 CFR § 1.137 (a) as an application unavoidably abandoned for failure to prosecute, due to an avoidable delay or in the alternative pursuant to 37 CFR § 1.137 (b) as an application unintentionally abandoned for failure to prosecute, due to unintentional delay. This petition is accompanied by a proposed response to continue prosecution of the application in accordance with 37 CFR § 1.137 (a)(1) or 37 CFR § 1.137 (b)(1). The fees required pursuant to 37 CFR § 1.137 (a)(2) and 37 CFR § 1.17 (1) or 37 CFR § 1.137 (b) (2) and 37 CFR § 1.17 (m) are to be charged to the assignees deposit account number 07-0475.

The delay in this response was unavoidable or in the alternative was at least unintentional. Two events worked in concert to interfere with responding to the office action sent on July 26, 2004 within the available time period. The workload for the

undersigned, over the period extending from July to the current date, has been overly burdensome and has included many duties unrelated to patent prosecution. At the same time, a lapse in communication between the undersigned and the assistant of the undersigned occurred. This error interfered with critical dates being recognized by the undersigned.

It is respectfully submitted that the foregoing satisfies the requirements of 37 CFR § 1.137 (a) to revive an abandoned application due to unavoidable delay, or in the alternative at least requirements of 37 CFR § 1.137 (b) to revive due to unintentional delay.

The undersigned stresses that, if the foregoing is not found to justify a finding of unavoidable delay, there was never any intention on the part of any employee or legal representative of the Applicant (specifically the undersigned) or Assignee to in any way abandoned this Application. The delay was unintentional.

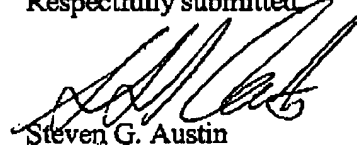
Applicant also hereby petitions for any extension of time under 37 CFR § 1.136 in which to respond to the aforementioned Office Action that may be required.

#### FEES

The fee set forth in 37 CFR § 1.17 with respect to this Petition under 37 CFR § 1.137 or if appropriate 37 CFR § 1.136, and any other fees incurred as a result of the amendments made in the accompanied proposed response to the Office Action are to be charged to Assignees' deposit account number 07-0475.

SGA  
Denver, Colorado

Respectfully submitted



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